

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ANTHONY J. SCICCHITANO, JR.,

Plaintiff,

v.

DOC SCI ALBION; Superintendent  
MICHAEL CLARK; and CHRISTOPHER  
MEURE, Major of Guards,

Defendants.

Civil Action No. 20-06  
District Judge David Stewart Cercone/  
Magistrate Judge Maureen P. Kelly

**ORDER**

Anthony J. Scicchitano (“Plaintiff”) is currently incarcerated in the State Correctional Institution in Albion (“SCI-Albion”). Plaintiff sought leave to proceed in forma pauperis in order to file a civil rights complaint in this Court, naming as defendants the Pennsylvania Department of Corrections, SCI-Albion; and Superintendent Clark; and Christopher Meure, Major of the Guards, for actions or inactions, occurring in December 2018. ECF No. 1-1 ¶ 8.

The case was referred to Magistrate Judge Maureen Kelly in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Local Civil Rules 72.C and D.

Magistrate Judge Kelly’s Report and Recommendation (the “Report”), ECF No. 2, filed on January 17, 2020, recommended that pursuant to the Prison Litigation Reform Act, the IFP Motion be denied because Plaintiff has “three strikes” and the Complaint does not reveal the requisite danger of serious physical injury. Plaintiff was informed that he could file Objections to the Report by February 3, 2020. No Objections have been filed.

Accordingly, after de novo review of the pleadings and the documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 22<sup>nd</sup> day of April, 2020;

IT IS HEREBY ORDERED that the Motion for Leave to Proceed In Forma Pauperis is DENIED. Plaintiff is ORDERED to pay the entire filing fee of \$400.00 by May 29, 2020. Failure to pay the entire filing fee by May 29, 2020, will result in the dismissal of this civil action for failure to prosecute without further warning.

s/David Stewart Cercone  
David Stewart Cercone  
Senior United States District Judge

cc: The Honorable Maureen P. Kelly  
United States Magistrate Judge

ANTHONY J. SCICCHITANO, JR.  
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